

PUBLIC

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UA 90/03

Fear for Safety/Intimidation

3 April 2003

GUATEMALA	Daniel Pascual (m),]] Members of Peasant Organizations
	Juan Tiney (m),]	
	Rafael Chanchavac Cux (m),]	
	Gilberto Atz (m),]	
	Elizabeth Cabrera (f),]	

Amnesty International is seriously concerned for the safety of those named above, following an increase in the harassment of and violence towards members of the peasant movement both in the capital Guatemala City and in the rural areas.

On 10 February, at approximately 7.50 a.m., Elizabeth Cabrera, a member of the Rural Development Programme *Coordinadora Nacional de Organizaciones Campesinas* (CNOC), National Coordinator of Peasant Organisations was assaulted by an unknown man in the street only minutes from the CNOC central office in Guatemala City. Three days later, Gilberto Atz, a member of the national leadership of CNOC had a mobile phone and important case documentation stolen from his car. Other valuables were not taken in the robbery.

Between February and April 2003, Juan Tiney, a member Executive Committee of the *Coordinadora Nacional Indígena y Campesina* (CONIC), National Indigenous and Peasant Coordination, received constant threatening anonymous phone calls on his mobile phone. In the first week of March, Tiney's car was broken into and his briefcase containing important documents was stolen. As had occurred with Gilberto Atz, valuables were not taken. Since the raid, the threatening anonymous calls have continued.

Since February, Rafael Chanchavac Cux, a member of the leadership of both CONIC and CNOC has been receiving anonymous death threats both on his mobile phone and the telephone at his family's home. The callers have threatened to kill Cux and have also stated that they know not only the movements of his family, but also where his children study.

Finally, on 20 March, Daniel Pascual, a national leader in both the *Comité de Unidad Campesina* (CUC) Committee of Peasant Unity, and CNOC was robbed at gunpoint by unidentified men. The assault took place in front of the CUC offices and Pascual's car, briefcase and mobile telephone were stolen. Since the robbery took place, Pascual has been subjected to telephonic death threats.

BACKGROUND INFORMATION

These latest reports of threats and acts of violence directed at members of the peasant movement are part of a wave intimidation, threats and abuses, including apparent extrajudicial executions (See UA 48/03, AMR 34/009/2003, 18 February 2003; UA 38/03, AMR 34/005/2003, 7 February 2003; UA 315, AMR 34/43/00, 16 October 2000; and follow-ups; UA 265/01, AMR 34/038/2001, 19 October 2001; UA 200/02, AMR 34/041/2002, 2 July 2002; UA 205/02, AMR 34/042/02, 8 July 2002).

The attacks are taking place in both urban and rural areas, and are directed against communities involved in land conflicts. They are also directed against organisations and individuals that seek to assist such communities to claim or retain lands which they believe are theirs by law, and who press for the implementation of the land rights components of the United Nations (UN) - sponsored 1996 Peace Accords. Despite repeated denunciations by many peasant organisations of these abuses, and the evidence gathered and made available to the authorities, there appears to have been no genuine effort to investigate the reported threats and attacks in order to bring those responsible to justice.

At present, three of the activists mentioned (Atz, Tiney and Pascual), along with three other prominent peasant leaders are facing detention orders on the charges of incitement to usurp land and aggravated usurpation, ("*usurpación agravada*"), charges that were cited against them by the Chamber of Agriculture.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or English or your own language:

- expressing grave concern at the harassment and violence directed against members of peasant organizations including Elizabeth Cabrera, Gilberto Atz, Juan Tiney, Rafael Chanchavac Cux and Daniel Pascual in the past few months;
- calling on the authorities to carry out an impartial and exhaustive investigation of the incidents of harassment and violence, to make the findings public and to bring those responsible to justice;
- urging that immediate measures be taken to ensure the safety of all members of CNOC, CONIC and CUC and other land activists that have been threatened or intimidated;
- calling on the government to move speedily to resolve the outstanding land disputes that have given rise to the series of abuses directed at land activists in recent years, including the latest incidents;
- urging the government to implement the land-related aspects of the 1996 Peace Accords as a necessary step towards eliminating the tensions that have led to so many abuses against peasant farmers and their leaders in recent years in Guatemala.

APPEALS TO:

President of the Republic of Guatemala

Lic. Alfonso Portillo Cabrera

Presidente de la Republica de Guatemala

6a. Avenida "A" 4-41, Zona 1, Ciudad de Guatemala, Guatemala

Telegram: Presidente de la Republica de Guatemala, Ciudad de Guatemala, Guatemala

Fax: + 502 238 3579

Salutation: Dear Mr President /Excelentísimo Sr. Presidente

Director General of the National Civil Police

Comisario General Raul Arquimedes Manchame Leiva

Director General de la Policia Nacional Civil

6a Avenida 13-71, Zona 1

Ciudad de Guatemala, Guatemala

Telegram: Director General de la Policia, Ciudad de Guatemala, Guatemala

Fax: + 502 251 9382

Salutation: Dear Director/Senor Director

Minister of Agriculture, Livestock & Nutrition

Lic. Edin Barrientos, Ministro de Agricultura Ganadería y Alimentación

Ministerio de Agricultura Ganadería y Alimentación

Edificio Monja Blanca, 70 Avenida 12-90 Zona 13

Ciudad de Guatemala, Guatemala

Telegram: Ministro de Agricultura, Ganadería y Alimentación, Ciudad de Guatemala, Guatemala

Fax: + 502 332 8302

Salutation: Dear Minister/Señor Ministro

COPIES TO:

National Coordinator of Peasant Organizations

Coordinadora Nacional de Organizaciones Campesinas (CNOC)

5 Calle 1-61 Zona 1

Ciudad de Guatemala, Guatemala

Fax: + 502 230 3196 (if a voice answers please say, "fax por favor")

and to diplomatic representatives of Guatemala accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 15 May 2003.